

Standards for sufficiency of substantiation of a trade secret claim.

- (A) The claimant withholding specific chemical identity from required submissions under sections 3750.04, 3750.05, 3750.07, and 3750.08 of the Revised Code must make factual assertions that are sufficient to support a conclusion that the chemical identity is a trade secret. These assertions are made by completely answering all the questions of rule 3750-60-20 of the Administrative Code.
- (B) The commission has adopted under rule 3750-60-50 of the Administrative Code sufficiency criteria which are standards used to determine whether the claimant has established a prima facie case for trade secrecy.
- (C) The facts asserted under rule 3750-60-20 of the Administrative Code will be considered against the sufficiency criteria to make a trade secret determination of rule 3750-60-50 of the Administrative Code.

Effective: June 30, 1993

Original signed by: Kenneth A. Schultz, Acting Chairman, State
Emergency Response Commission
Certification

June 11, 1993
Date

Promulgated under: R.C. Chapter 119
Rule amplifies: R.C. Section 3750.09
Rule authorized by: R.C. sections 3750.02(B)(1)(i),
3750.02(B)(2)(d), 3750(B)(5), and 3750.02(B)(14)
Prior effective dates: None